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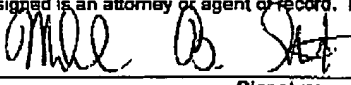
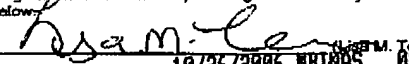
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PTO/SB/26 (07-06)

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<b>TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT</b>		<b>Docket Number (Optional)</b> 65807-0065
In re Application of: William M. Richardson et al. Application No.: 10/797,984-Conf. #4276 Filed: March 11, 2004 For: PACKET NETWORK MONITORING DEVICE		
The owner, <u>Vigilant Networks LLC</u> , of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent No. <u>6,795,404</u> as the term of said prior patent is defined in 35 U.S.C. 164 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.		
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.		
2. <input checked="" type="checkbox"/> The undersigned is an attorney or agent of record. Reg. No. <u>36,018</u>		
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<u>Michael B. Stewart</u> Typed or printed name		
<u>(248) 594-0633</u> Telephone Number		
<input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) is included.		
*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.		
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Dated: October 25, 2006		Signature:  Adam T. Lewis
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